

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL CORTES ARIAS,

Plaintiff,

v.

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Defendant.

No. 2:24-cv-00546-JHC

STIPULATED MOTION AND ORDER
TO CONTINUE TRIAL AND AMEND
CASE SCHEDULE

I. STIPULATED MOTION

The parties, by and through their undersigned counsel of record, hereby stipulate and jointly request that the Court continue the trial date and amend the case schedule (Dkt. 14) pursuant to Fed. R. Civ. P. Rule 6 and LCR 10(g).

II. LEGAL AUTHORITY

A. Applicable Legal Standard

A [case] schedule may be modified only for good cause and with the judge's consent. Fed. R. Civ. P. 16(b)(4); *see also* LCR 16(b)(6) ("A schedule may be modified only for good cause and with the judge's consent."). The decision to modify a scheduling order is within the broad discretion of the district court. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992).

B. Good Cause Exists to Extend the Trial Date and Pretrial Deadlines

Good cause exists for a continuance. The current deadline for expert disclosures is December 16, 2024. The parties are currently working together in good faith to come to an agreement as to whether privilege applies to certain documents. The parties have met and conferred to discuss the issues. Since then, Lether Law Group has been working with their client to respond to counsel's assertions.

In light of the discovery issues, the parties will need additional time to ensure that their experts have all the information necessary to draft their reports. Accordingly, the parties have stipulated to a forty-five (45) day extension of the expert disclosure deadline. Given that a 45-day extension of the expert disclosure deadline would overlap with subsequent deadlines, the following proposed schedule moves all relevant dates out by 45 days. The parties respectfully move the Court to amend the case schedule and extend the trial date in this matter as follows:

EVENT	CURRENT DATE	PROPOSED DATE
Deadline for Amended Pleadings	December 16, 2024	January 30, 2025
Disclosure of Expert Testimony	December 16, 2024	January 30, 2025
Discovery Motions	January 15, 2025	March 3, 2025
Discovery Completed by	February 14, 2025	March 31, 2025
Dispositive Motions and Expert Witness Motions	March 17, 2025	May 1, 2025
Deadline for Settlement Conference	May 15, 2025	June 30, 2025
Motions in Limine	June 2, 2025	July 17, 2025
Agreed Pretrial Order	June 23, 2025	August 7, 2025
Deposition Designations	June 25, 2025	August 11, 2025
Pretrial Conference	June 30, 2025	August 14, 2025

Trial Briefs, Proposed Findings of Fact and Conclusions of Law	July 7, 2025	August 21, 2025
Bench Trial	July 14, 2025	August 28, 2025

DATED this 11th day of November 2024.

BRAIN INJURY LAW OF SEATTLE, INC.



Scott Blair, WSBA #13428



Cody Branstetter, WSBA #57156
437 5th Avenue South, Suite 103
Edmonds, WA 98020
scott@braininjurylawofseattle.com
cody@braininjurylawofseattle.com
Counsel for Plaintiff Daniel Cortes Arias

BACETICH LAW

/s/ Dominic L. Bacetich
Dominic L. Bacetich, WSBA #11336
217 Virginia Ave.,
Everett, WA 98201
Tel: (425) 339-9149
E-mail: nic@bacetichlaw.com
Counsel for Plaintiff Daniel Cortes Arias

LEATHER LAW GROUP

/s/ Sam Colito
Thomas Lether, WSBA #18089
Sam Colito, WSBA #42529
1848 Westlake Ave N., Suite 100
Seattle, WA 98109
P: 206-467-5444 / F: 206-467-5544
tlether@letherlaw.com
scolito@letherlaw.com
Counsel for Travelers Casualty Insurance Company of America

III. ORDER

In light of the Court's calendar, trial is set for October 27, 2025. The Court DIRECTS the Clerk to issue a case scheduling order consistent with this new trial date.

DATED this 12th day of November, 2024.

A handwritten signature in black ink, reading "John H. Chun", is written over a horizontal line.

JOHN H. CHUN
UNITED STATES DISTRICT JUDGE